



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. SCL-00142S

Friday July 5, 2013

Streamlined Submarine Cable Landing License Applications Accepted For Filing

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing and subject to the streamlined processing procedures set forth in section 1.767 of the Commission's rules, 47 C.F.R. § 1.767. Pursuant to the Submarine Cable Landing License Act, 47 U.S.C. §§ 34-39, and Executive Order No. 10530, reprinted as amended in 3 U.S.C. § 301, each applicant seeks: (a) the grant of a cable landing license; (b) the modification of a cable landing license; and/or (c) the assignment or transfer of control of an interest in a submarine cable landing license.

Pursuant to its decision in Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, FCC 01-332, 16 FCC Rcd 22167 (2001) and section 1.767 of the rules, the Commission will take action upon these applications within forty-five (45) days after release of this public notice, unless the Commission has informed the applicant in writing that the application, upon further examination, has been deemed ineligible for streamlined processing.

Ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206. Filings relating to this application must be received within 14 days of this notice. Such filings will not necessarily result in an application being deemed ineligible for streamlined processing.

Copies of all applications listed here are available for public inspection in the FCC Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street, SW, Washington DC 20554. The center can be contacted at (202) 418-0270. People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty). All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

Transfer of Control

Current Licensee: Allstream Fiber US, Inc.

FROM: Allstream Fiber US, Inc.

TO: Allstream Fiber US, Inc.

Application for the transfer of control of the interest in the AmeriCan-1 cable, SCL-LIC-19980123-00002, held by Allstream Fiber US, Inc. (Allstream Fiber), from MTS Inc. (MTS) to 8312168 Canada, Inc. (8312168 Canada). Allstream holds a one-quarter ownership interest in the AmeriCan-1 cable which is operated on a non-common carrier basis between the United States and Canada.

8312168 Canada will acquire all of the issued and outstanding stock of Allstream Fiber from MTS. Upon closing, Allstream Fiber will become a wholly-owned subsidiary of 8312168 Canada.

8312168 Canada, a Canadian corporation, is wholly owned by Accelero Capital Investments Holdings, S.a.r.l. (Accelero Capital Investment), a Luxembourg company, which in turn is wholly owned by Accelero Capital Holdings, S.a.r.l. (Accelero Capital Holdings), a Luxembourg limited liability company. The following entities and individuals hold 10% or greater ownership interests in Accelero Capital Holdings: (1) Orascom TMT Investments S.a.r.l. (Orascom TMT Investments), a Luxembourg company (20%); (2) Khaled Bishara, an Egyptian citizen (16.2%); (3) Pezou S.a.r.l. (Pezou), a Luxembourg entity (16.2%); and, (4) Panda Investments (Panda Investments), a Singapore Private Family Trust (14.2%).

Orascom TMT Investments is a wholly-owned company for investments of The Marchmont Trust, a Jersey family trust for the benefit of the Sawiris family. The Marchmont Trust (Trustee, February Private Trust Company (FPTC), a Jersey trustee company) owns Orascom TMT Investments through two wholly owned Cayman Islands companies: Marchmont Limited, which is the 100% owner of Marchco Holding Limited, which, in turn, is the 100% owner of Orascom TMT Investments. Ms. Yousriya Nassif Losa, a citizen of Egypt, is the settler and discretionary beneficiary of FPTC, along with the international Federation of Red Cross and Red Crescent Societies.

Pezou is 100% owned and controlled by Rodolphe Aldo Mario Mareuse, a citizen of France with residency in the United Kingdom. Mr. Mareuse is a Managing Partner of Accelero Capital Holdings.

Panda Investments is a trust for the sole benefit of Ossama Bessada, a citizen of Egypt with residency in Canada. Mr. Bessada is a Managing Partner of Accelero Capital.

No other entity or individual holds 10% or greater direct or indirect equity or voting interest in Accelero Capital Holdings.

REMINDERS:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See C.F.R. §§ 1.2001-1.2003.

The Commission's rules applicable to submarine cable landing licenses (47 C.F.R. §§ 1.767, 1.768) are available at <http://www.fcc.gov/ib/td/pf/telecomrules.html>. See also http://hraunfoss.fcc.gov/edoc_public/attachmatch/DA-02-5981A1.pdf for a March 13, 2002 Public Notice; http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-01-332A1.pdf for the December 14, 2001 Report and Order.

By this notice, we inform the public that submarine cable landing license applications and international section 214 applications that are part of larger transactions involving multiple Commission licenses or authorizations may involve "extraordinary circumstances" as referenced in Review of Commission Consideration of Applications under the Cable Landing License Act, Report and Order, 16 FCC Rcd 22167 (2001) and Rules and Policies on Foreign Participation in the U.S. Telecommunications Market, Report and Order and Order on Reconsideration, 12 FCC Rcd 23891 (1997), paras. 327-28, Order on Reconsideration, 15 FCC Rcd 18158 (2000). Additionally, these extraordinary circumstances may result where Executive Branch agencies petition the Commission to defer decision on certain transactions pending the resolution of potential national security, law enforcement, foreign policy and trade policy issues. Accordingly, these applications may not be acted on within the 90-day review period that the Commission has established as the period of time normally required to reach a decision on non-streamlined cable landing licenses and international section 214 applications. This notice shall serve as public notice to applicants that, in these circumstances, additional time may be required for Commission review and final action. No additional formal public notice will be provided routinely with respect to specific applications in the event that the applicable review period extends beyond 90 days.